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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 09-0239-PJH
)	
Plaintiff,)	[PROPOSED] STIPULATED ORDER
)	CONTINUING STATUS CONFERENCE
v.)	
)	Current Hearing Date: June 17, 2009
DANNY PEREDA,)	Time: 1:30 p.m.
a/k/a Teddy Ramos,)	Judge: Hon. Phyllis J. Hamilton
)	
Defendant.)	Proposed Hearing Date: July 8, 2009
)	Time: 1:30 p.m.

1 The above-captioned case is currently scheduled for a status conference on
 2 Wednesday, June 17, 2009 at 1:30 p.m. Brendan Conroy, counsel for the defendant, is
 3 currently in trial in the Superior Court of San Mateo County, and will be unable to attend
 4 the scheduled hearing on June 17. Accordingly, the parties stipulate and jointly request
 5 that the hearing set for June 17 be taken off of the Court's calendar.

6 Matthew McCarthy, counsel for the government, will be in trial before the
 7 Honorable Susan Illston during the week of June 22-26, and Mr. Conroy will be
 8 unavailable on July 1, 2009. Accordingly, the parties request that the Court set this
 9 matter for Wednesday, July 8, 2009 at 1:30 p.m.

10 Further, the parties stipulate and jointly request that time be excluded from
 11 the Speedy Trial Act calculations from Wednesday, June 17 through Wednesday, July 8,
 12 2009 for effective preparation and continuity of counsel. The parties agree that the ends
 13 of justice served by granting such a continuance outweigh the best interests of the public
 14 and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).

15 **SPEEDY TRIAL ACT IMPLICATIONS**

16 Pursuant to 18 U.S.C. § 3161, and Crim. Loc. Rule 47-2(c), there are
 17 seventy (70) days remaining before the trial in this case must commence. Taking the
 18 stipulated time exclusion from Wednesday, June 17 through Wednesday, July 8, 2009
 19 into account, the "speedy trial" date for this matter is September 16, 2009.
 20 IT IS SO STIPULATED.

21
 22 6-15-09

23 DATED

/s/

JOSEPH P. RUSSONIELLO
 United States Attorney
 Northern District of California
 MATTHEW L. MCCARTHY
 Assistant United States Attorney

26 6-15-09

27 DATED

/s/

BRENDAN CONROY
 Attorney for Danny Pereda

For good cause shown, the status conference now scheduled for Wednesday, June 17, 2009 is vacated. The matter shall be added to the Court's calendar on Wednesday, July 8, 2009 at 1:30 p.m. for status.

In addition, for the reasons stated above, the Court finds that an exclusion of time from June 17, 2009 through July 8, 2009 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv). Taking the stipulated time exclusion from Wednesday, June 17 through Wednesday, July 8, 2009 into account, the "speedy trial" date for this matter is September 16, 2009.

IT IS SO ORDERED.

06/16/09
 DATED _____

